

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION, AT JACKSON

FILED BY *[Signature]* D.C.
05 DEC 15 AM 9:22
THOMAS M. COLE
U.S. DISTRICT COURT
EASTERN DIVISION

DOUGLAS M. GRAHAM, individually and as)
natural father and next of kin of ERIN)
GRAHAM, a minor)

Plaintiffs,

No. 1-05-1040-T/An
JUDGE

v.

VICTORY RANCH

Defendant.

**DEFENDANT'S MOTION FOR LEAVE TO FILE AMENDED ANSWER TO
PLAINTIFFS' COMPLAINT FOR DAMAGES**

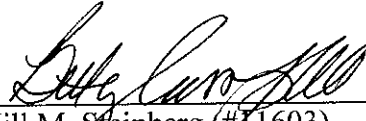
Defendant, Victory Ranch, by and through its counsel, and pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, moves this Court for an Order granting it leave to amend its answer by filing the Defendant's Amended Answer to Plaintiffs' Complaint for Damages, attached hereto as Exhibit A. Victory Ranch seeks to amend its answer previously filed to assert as an affirmative defense the comparative fault of Greenbrook Elementary School, and the employees and agents, including the trip chaperones, of Greenbrook Elementary School, as set forth more specifically in Exhibit A. The newly added affirmative defenses are set forth in paragraphs XII, XIII, and XIV of the Defendant's Proposed Amended Answer to Plaintiffs' Complaint for Damages.

In support of this motion, Victory Ranch relies on the Memorandum in Support of Defendant's Motion for Leave to File Amended Answer to Plaintiffs' Complaint for Damages, and the entire record in this civil action.

MOTION GRANTED
DATE: 15 December 2005

[Signature]
James D. Todd
U.S. District Judge

Respectfully submitted,



Jill M. Steinberg (#11603)

Betty Campbell (#23547)

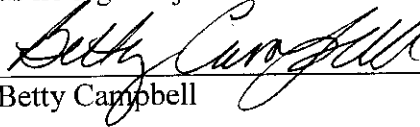
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.

165 Madison Avenue
2000 First Tennessee Building
Memphis, Tennessee 38103
(901) 526-2000

Attorneys for Victory Ranch

LOCAL RULE 7.2(a)(1)(B) CERTIFICATE OF CONSULTATION

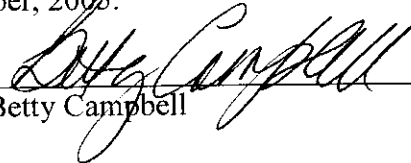
I hereby certify that counsel for Defendant, Victory Ranch, consulted by telephone with David McLaughlin, attorney for Plaintiff, on December 14, 2005, regarding Defendant's Motion for Leave to File Amended Answer, and he has no legal objection to the relief requested herein.



Betty Campbell

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing has been mailed, postage prepaid, to David A. McLaughlin, One Commerce Square, Suite 2600, Memphis, TN 38103, this 14th day of December, 2005.



Betty Campbell



Notice of Distribution

This notice confirms a copy of the document docketed as number 16 in case 1:05-CV-01040 was distributed by fax, mail, or direct printing on December 19, 2005 to the parties listed.

Betty Campbell
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Honorable James Todd
US DISTRICT COURT